



**SIGNED THIS 16th day of September, 2020**

**THIS ORDER HAS BEEN ENTERED ON THE DOCKET.  
PLEASE SEE DOCKET FOR ENTRY DATE.**

*Rebecca B. Connelly*

Rebecca B. Connelly  
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

IN RE:  
JOHN ALAN ROSS,  
Debtor(s).

Chapter 11  
Case No. 20-50129

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**ORDER DENYING CONFIRMATION AND SCHEDULING FURTHER MATTERS**

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This Court having conducted a confirmation hearing for the Second Amended Plan of Reorganization filed by John Alan Ross, debtor herein (the “Debtor”), on September 10, 2020, and having considered the evidence presented and the argument of the parties present at the hearing, for the reasons stated on the record of the hearing, it is

ORDERED

that confirmation of the Debtor’s Second Amended Plan of Reorganization is DENIED without prejudice to the Debtor’s right to file a further amended plan as provided herein below. It is further

ORDERED

that should the Debtor desire to file a further amended plan, any such amended plan shall be filed on or before December 9, 2020, which date is ninety (90) days following the date of the September 10, 2020 hearing. It is further

ORDERED

that in the event the Debtor fails to timely file any such amended plan, this case shall be dismissed by the Court without further notice or hearing except as provided in this Order. It is further

ORDERED

that counsel for the Debtor shall promptly serve a copy of this Order on all creditors and parties in interest in this Case, the United States Trustee and the Subchapter V Trustee and certify such service to the Court. It is further

ORDERED

that notwithstanding the foregoing decree providing for the automatic dismissal of this case upon the Debtor's failure to timely file a new amended plan by the deadline set forth hereinabove, if any creditor, party in interest, the United States Trustee, or the Subchapter V Trustee files an objection to the dismissal of the case, or requests an opportunity to be heard, prior to the expiration of the ninety (90) day period established by this Order, the case shall not be automatically dismissed and the Court shall conduct a hearing on January 20, 2021 at 11:00 a.m to determine whether the case shall be dismissed .

Should such hearing occur, parties are directed to attend the hearing by Zoom, with the Zoom instructions as follows:

<https://vawb-uscourts-gov.zoomgov.com/j/1612706164>; the Meeting ID: 161 270 6164

\*\*\* End Of Order \*\*\*

We Ask For This:

JOHN ALAN ROSS

By: /s/ Andrew S. Goldstein  
Of Counsel

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*Counsel for the Debtor*

SEEN WITH NO OBJECTION:

WILLIAM A. TRUBAN, JR.  
RIDE ON MOTO, INC.

By: /s/ Augustus C. Epps, Jr.  
Of Counsel  
Augustus C. Epps, Jr., Esq. (VSB #13254)  
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UNITED STATES TRUSTEE

By: /s/ Margaret K. Garber  
Margaret K. Garber, Esq. (VSB #34412)  
Assistant United States Trustee  
Office of United States Trustee  
210 First St., Suite 505  
Roanoke, VA 24011

CHAPTER 11 TRUSTEE, Subchapter V

/s/ William E. Callahan, Jr.  
William E. Callahan, Jr., Subchapter V Trustee  
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